

RECEIVED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
DIVISION

DEC 22 2003

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

DOCKETED  
DEC 23 2003

Michael J. Flowers Jr.  
(Name of the plaintiff or plaintiffs)  
V.  
Columbia College Chicago  
(Name of the defendant or defendants)

CIVIL ACTION

NO. **03C 9247**  
(Case number will be supplied by the assignment clerk)

JUDGE KOCORAS

MAGISTRATE JUDGE NOLAN

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.
2. The plaintiff is Michael J. Flowers Jr. of  
the county of Cook in the state of IL.
3. The defendant is Columbia College Chicago, who  
resides at (street address) 600 S. Michigan Ave. Chicago  
(city) Chicago (county) Cook (state) IL (ZIP) 60605  
(Defendant's telephone number) ~~313~~ - 663 - 1600

4) The plaintiff sought employment or was employed by the defendant at  
 (street address) 33 E. Congress 5 fl. (Office of Community Arts Partnerships)  
 (city) Chicago (county) Cook (state) IL, (ZIP code) 60605

5. The plaintiff [check one box]

- (a) ☐ was denied employment by the defendant.  
 (b) ☐ was hired and is still employed by the defendant.  
 (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,  
 (month) July, (day) 18, (year) 2003.

7. (a) The plaintiff [check one box] ☐ has not filed a charge or charges against the defendant  
☒ has  
 asserting the acts of discrimination indicated in this complaint with any of the following  
 government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission on or about  
 (month) Sept., (day) 17, (year) 2003  
 (ii) ☐ the Illinois Department of Human Rights on or about  
 (month) \_\_\_\_\_ (day) \_\_\_\_\_ (year) \_\_\_\_\_.

(b) If charges *were* filed with an agency indicated above, a copy of the charge is  
 attached. ☒ YES ☐ NO

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department  
 of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason  
 to believe that this policy was not followed in this case.

8. (a) ☐ the United States Equal Employment Opportunity Commission has not issued a  
*Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice*  
*of Right to Sue*, which was received by the plaintiff on (month) September

(day) 25 (year) 2003 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [check all that apply]

- (a) ☐ Age (Age Discrimination Employment Act).
- (b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (c) ☐ Disability (Americans with Disabilities Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☒ Religion (Title VII of the Civil Rights Act of 1964) \* (Retaliation based on earlier EEOC filing of religious discrimination)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. The plaintiff is suing the defendant, a state or local government agency, for discrimination on the basis of race, color, or national origin (42 U.S.C. §1983).

☐ YES ☒ NO

11. Jurisdiction over the statutory violation alleged is conferred as follows: over Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); over 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; over the A.D.E.A. by 42 U.S.C. §12117.

12. The defendant [check all that apply]

- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☒ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ other (specify): \_\_\_\_\_

13. The facts supporting the plaintiff's claim of discrimination are as follows:

I was employed by Columbia College Chicago as an academic advisor for G.E.A.R. UP program and was assigned to a site school (Dyett Academic Ctr.) where I was originally discriminated. The principal of the site school refused to accommodate my religious headress and threatened my employment by stating that she would ask my employer (Columbia College) to replace me due to my refusal to remove the head piece. Columbia fired me after

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury.

☒ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff [check all that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☒ Find that the defendant failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ Find that the defendant failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ Direct the defendant to (specify): pay monetary damages.

learning that I filed w/ EEOC stating that I was bringing them in on the complaint. Also stating that I was bringing negative publicity to the office.

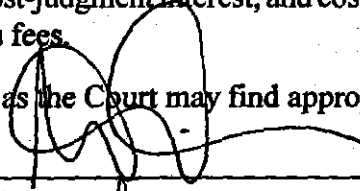
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

(Plaintiff's name)

(Plaintiff's street address)

  
\_\_\_\_\_  
Michael F. Flowers Jr.

\_\_\_\_\_  
7427 S. Uella Ave.

\_\_\_\_\_  
(City) Chicago (State) IL (ZIP) 60649

(Plaintiff's telephone number) (773) - 615. 8670

EEOC Form 5 (5/01)

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):



FEPA



EEOC

210-2003-35419

**Illinois Department Of Human Rights**

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

**Mr. Michael J. Flowers**

Home Phone No. (Ind Area Code)

**(773) 615-8670**

Date of Birth

Street Address

City, State and ZIP Code

**7427 S. Luella Ave., Chicago, IL 60649**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**COLUMBIA COLLEGE**

No. Employees, Members

**500 or More**

Phone No. (Include Area Code)

**(312) 663-1600**

Street Address

City, State and ZIP Code

**600 S. Michigan Ave, Chicago, IL 60605**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE    ☐ COLOR    ☐ SEX    ☐ RELIGION    ☐ NATIONAL ORIGIN  
☒ RETALIATION    ☐ AGE    ☐ DISABILITY    ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

**07-18-2003****07-18-2003**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I was hired by Respondent in September 2002 as an Academic Advisor in the Gear Up Program as part of their Community Arts Partnerships. In March 2003 I filed a charge of religious discrimination at the EEOC against one of Respondent's partnership schools. After Respondent became aware of this I was then subjected to retaliation. This took several forms, including, but not limited to; harassment in the form of unwarranted negative memos from management regarding my performance and activities as well as threats of termination. I was terminated on July 18, 2003.

I believe that I have been discriminated against by Respondent, in retaliation, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED EEOC

SEP 17 2003

CHICAGO DISTRICT OFFICE

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Sep 17, 2003

Date

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE

(Issued on request)

To: Michael J. Flowers

7427 S. Luella Ave.

Chicago, IL 60649

From: Chicago District Office

Equal Employment Opportunity Commission

500 West Madison

Suite 2800

Chicago, Illinois 60661

Certified: 7001 0360 0000 0461 2824



On behalf of a person aggrieved whose identity is **CONFIDENTIAL**  
(29 C.F.R. 1601.7(a))

Charge Number  
210-2003-35419

EEOC Representative  
Ann Miller, Investigator

Telephone Number  
(312) 353-2401

( See the additional information attached to this form )

**TO THE PERSON AGGRIEVED:** This is your NOTICE OF RIGHT TO SUE. It is issued at your request. If you intend to sue the respondent(s) named in your charge, YOU MUST DO SO WITHIN NINETY (90) DAYS OF YOUR RECEIPT OF THIS NOTICE. OTHERWISE YOUR RIGHT TO SUE IS LOST.



More than 180 days have expired since the filing of this charge.



Less than 180 days have expired since the filing of this charge, but I have determined that the Commission will be unable to complete its process within 180 days from the filing of the charge.



With the issuance of this NOTICE OF RIGHT TO SUE, the Commission is terminating its process with respect to this charge.



It has been determined that the Commission will continue to investigate your charge.



**ADEA:** While Title VII and the ADA require EEOC to issue this notice of right to sue before you can bring a lawsuit, you may sue under the Age Discrimination in Employment Act (ADEA) any time 60 days after your charge was filed until 90 days after you received notice that EEOC has completed action on your charge.



Because EEOC is closing your case, your lawsuit under the ADEA must be brought within 90 days of your receipt of this notice. Otherwise, your right to sue is lost.



EEOC is continuing its investigation. You will be notified when we have completed action and, if appropriate, our notice will include notice of right to sue under the ADEA.



**EPA:** While Title VII and the ADA require EEOC to issue this Notice of Right to Sue before you can bring a lawsuit, you already have the right to sue under the Equal Pay Act (EPA) (You are not required to complain to any enforcement agency before bringing an EPA suit in court). EPA suits must be brought within 2 years (3 years for willful violations) of the alleged EPA underpayment.

On Behalf of the Commission

9-25-03

(Date)

*John P. Rowe*  
John P. Rowe, District Director

Enclosures

Information Sheet  
Copy of Charge

cc: Respondent(s)

Columbia College